

# **Exhibit 4**

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE MIDDLE DISTRICT OF PENNSYLVANIA  
3  
4 -----§  
5 CLARITY SPORTS INTERNATIONAL §  
6 LLC, and JASON BERNSTEIN, §  
7 §  
8 Plaintiffs, § Case No. 1:19-CV-00305 (YK)  
9  
10 vs. §  
11 §  
12 REDLAND SPORTS, et al., §  
13 §  
14 Defendants. §  
15  
16 -----§

11 Thursday, September 23, 2021

14                   This is the Remote Deposition of BRUCE  
15       BERNSTEIN, commencing at 10:07 a.m. EDT, on the above  
16       date, before Susan D. Wasilewski, Registered  
17       Professional Reporter, Certified Realtime Reporter,  
18       Certified Manager of Reporting Services, Certified  
19       Realtime Captioner, and Professional Reporter.

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|  |   |
|--|---|
| <p style="text-align: right;">Page 10</p> <p>1 A. Where I -- where I work, would you say?</p> <p>2 When you say business addresses, where I work?</p> <p>3 Q. Yes. Yeah. I'm not trying to trick you.</p> <p>4 Trust me.</p> <p>5 A. No, I have no other business addresses where</p> <p>6 I regularly work, other than during the pandemic, I,</p> <p>7 of course, work at home.</p> <p>8 Q. Okay. Well, that's probably true even if --</p> <p>9 whether there's a pandemic or not, it seems like we</p> <p>10 have to work at home, which leads me to my next</p> <p>11 question.</p> <p>12 Do you have a residential address?</p> <p>13 A. Yes, I do.</p> <p>14 Q. And what is that exact address?</p> <p>15 A. It's 11624 Twining -- that's</p> <p>16 T-w-i-n-i-n-g -- Lane in Potomac, Maryland.</p> <p>17 Q. Okay. How long have you resided there?</p> <p>18 A. 31 years.</p> <p>19 Q. And that's your primary address?</p> <p>20 A. Correct.</p> <p>21 Q. Residential address?</p> <p>22 A. Correct.</p> <p>23 Q. Have you ever lived in the Commonwealth of</p> <p>24 Pennsylvania?</p> <p>25 A. No.</p> | <p style="text-align: right;">Page 12</p> <p>1 A. I attended Georgetown University Law School.</p> <p>2 Q. Okay. And what -- did you graduate?</p> <p>3 A. Yes, I did.</p> <p>4 Q. What year did you graduate?</p> <p>5 A. 1977.</p> <p>6 Q. Okay. And I assume you got a JD?</p> <p>7 A. Correct.</p> <p>8 Q. Other than -- other than Tufts and</p> <p>9 Georgetown, any other professional schooling or</p> <p>10 degrees?</p> <p>11 A. No.</p> <p>12 Q. Okay. I just want to ask you about</p> <p>13 professional licenses; so, for example, your law</p> <p>14 license. Like, I don't care about your driver's</p> <p>15 license or anything.</p> <p>16 Do you hold any professional licenses?</p> <p>17 A. Yes.</p> <p>18 Q. What are they?</p> <p>19 A. I have a law license in three states, and</p> <p>20 I'm --</p> <p>21 Q. Okay. I was going to ask the question. In</p> <p>22 what state or jurisdiction are they in?</p> <p>23 A. Maryland, Virginia, and the District of</p> <p>24 Columbia.</p> <p>25 Q. Okay. And they're all in good standing, so</p>   |
| <p style="text-align: right;">Page 11</p> <p>1 Q. What state do you consider yourself a</p> <p>2 citizen of?</p> <p>3 A. You mean a resident?</p> <p>4 Q. As a -- yeah, a resident, citizen, I mean --</p> <p>5 A. At present?</p> <p>6 Q. Yeah.</p> <p>7 A. At present, I would say Maryland.</p> <p>8 Q. Okay. And for how long?</p> <p>9 A. 42 years, approximately, 42 or 43 years.</p> <p>10 Q. Okay. We'll talk a little bit about your</p> <p>11 educational background. I get it. It's quite a</p> <p>12 good while for all of us, you maybe longer than some</p> <p>13 of us, but did you attend college?</p> <p>14 A. Yes.</p> <p>15 Q. Where did you go?</p> <p>16 A. Tufts University.</p> <p>17 Q. Did you graduate?</p> <p>18 A. Yes.</p> <p>19 Q. What year?</p> <p>20 A. 1973.</p> <p>21 Q. What was your degree, and what was it in?</p> <p>22 A. It's a bachelor of arts in applied physics.</p> <p>23 Q. Oh, okay. Did you attend graduate school?</p> <p>24 A. Yes.</p> <p>25 Q. Where?</p>  | <p style="text-align: right;">Page 13</p> <p>1 you practice --</p> <p>2 A. Yes.</p> <p>3 Q. Okay. And for how long have you had those?</p> <p>4 You can estimate.</p> <p>5 A. Approximately 42, 43 years.</p> <p>6 Q. Okay. I really don't want to go through</p> <p>7 your résumé, so I'm trying to think of a quicker way</p> <p>8 to do this, you know. So I want to talk about your</p> <p>9 professional background. Usually when I ask people</p> <p>10 that are older and have a work history, is maybe --</p> <p>11 can you walk us through the jobs you've had once</p> <p>12 you've gotten out of law school? Like, I don't care</p> <p>13 about jobs in law school or college or high school,</p> <p>14 but your professional jobs as a lawyer from the</p> <p>15 earliest up to the present, you know, generally,</p> <p>16 like, the name of the law firm, company, or</p> <p>17 government entity you might have worked for, the</p> <p>18 approximate years, and what your position and job</p> <p>19 title was.</p> <p>20 A. One other licensure that you should know</p> <p>21 about, I'm also licensed by the Patent -- US Patent</p> <p>22 and Trademark Office.</p> <p>23 Q. You know, I almost could have guessed that,</p> <p>24 because you're the only attorney I've ever heard of</p> <p>25 that has a degree in applied physics, which -- I had</p> |

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1 check with Jason because I don't check -- I'm not  
 2 involved in the day-to-day, so I'm not really  
 3 checking on the status. Emily Ries.  
 4 Q. Okay.  
 5 A. I think it's R-i-e-s.  
 6 Q. Okay.  
 7 A. And to the extent you would call someone who  
 8 does the books a 1099, Calvin Luttrell.  
 9 Q. Calvin -- how do you spell that?  
 10 A. Calvin Luttrell, L-u-t-t-r-e-l-l.  
 11 Q. Okay. And I'm assuming --  
 12 A. Those are the only names that I know, but  
 13 that doesn't mean that those are the only people.  
 14 Q. Okay. Those are the only names you can  
 15 recall?  
 16 A. Yes.  
 17 Q. And you don't know if they're, like, W-2 or  
 18 1099 employees?  
 19 A. No. I may -- I think I know, but I'm not  
 20 sure, so I don't want to speculate.  
 21 Q. That's fine. Do you know what Emily Ries's  
 22 job title is?  
 23 A. No.  
 24 Q. Calvin Luttrell, I guess he's the -- does he  
 25 have a job title? You said he handles the books and

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1 Q. I guess if it has one.  
 2 A. It has a business address, and I don't know  
 3 it off the top of my head.  
 4 Q. Okay. Is it -- its business address located  
 5 in your residence?  
 6 A. In my residence, no.  
 7 Q. Is the business address located in Jason  
 8 Bernstein's residence?  
 9 A. I believe so.  
 10 Q. Okay. Is the business address located in  
 11 your law firm?  
 12 A. No.  
 13 Q. Okay. So to the best of your knowledge,  
 14 Clarity's business address is Jason Bernstein's home  
 15 address?  
 16 A. To the best of my knowledge, correct.  
 17 Q. Do you know if it has any other offices?  
 18 A. Not that I'm aware of.  
 19 Q. I think we answered this already. So you  
 20 described for me Clarity's business generally. Just  
 21 a couple of questions.  
 22 Are Clarity's clients restricted to football  
 23 players as opposed to, like, other types of athletes  
 24 or artists?  
 25 MR. COMERFORD: Foundation.

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1 records.  
 2 A. Not that I'm aware of. I don't believe he  
 3 has a job title.  
 4 Q. Okay. Do you know of anybody other than  
 5 Calvin Luttrell that would do the accounting or  
 6 financial statements for Clarity Sports?  
 7 A. The accountant, the CPA.  
 8 Q. You have an outside accountant?  
 9 A. Correct.  
 10 Q. Do you know who that is?  
 11 A. The name of the accountant who's done them  
 12 for several years is Randy Shapiro. The name of his  
 13 firm was Murray, Jonsson -- and that's, to my  
 14 recollection, J-o-n-s-s-o-n -- & White. But they  
 15 have merged into a firm called YHB, and I do not  
 16 remember what the acronym YHB stands for.  
 17 Q. That's okay. Anybody else that you could  
 18 recall that worked as an accountant -- the outside  
 19 accountant or that would handle the books and  
 20 records?  
 21 A. No, not that I -- not that I recall. Not  
 22 that I recall.  
 23 Q. Okay. Some more general questions about  
 24 Clarity. What is Clarity's business address?  
 25 MR. COMERFORD: Foundation.

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1 A. I don't think the business -- I don't  
 2 think -- to the best of my recollection, there's no  
 3 limitation.  
 4 Q. I guess the question I would have, you were  
 5 never a -- you personally were never a licensed  
 6 agent in anything other than the NFLPA, correct?  
 7 A. Correct.  
 8 Q. And you never represented, have you -- in  
 9 connection with your role with Clarity, being a  
 10 member of Clarity, I'm not talking about your law  
 11 film or whatever you might do.  
 12 A. Okay.  
 13 Q. I don't really care about that, actually,  
 14 but in your role through Clarity, have you ever  
 15 represented anybody other than that one athlete that  
 16 may have -- you know, like, a baseball player,  
 17 trying to negotiate a baseball contract, a  
 18 basketball player, an artist, musician, or actor  
 19 trying to negotiate a contract?  
 20 A. Through Clarity, I have not.  
 21 Q. Okay. And in your time with Clarity, which  
 22 I guess was from the beginning, are you aware of  
 23 Clarity having any clients that were not football  
 24 players, like, current or former football players?  
 25 A. You have to ask Jason that. I -- I don't

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| 1    that's the entire point. None of the fact<br>2    witnesses have firsthand, actual knowledge of<br>3    anything. It's all argument. That's what I'm<br>4    trying to pin down.  | 1    MR. COMERFORD: Form.<br>2    Q. Go ahead. Now is your time.<br>3    A. Okay. Would you please stop interrupting<br>4    me?  |
| 5    Q. But Mr. Comerford, in his various<br>6    objections, has made it clear that it's all based on<br>7    argument, so you don't have to answer that. We'll<br>8    move on.  | 5    Q. Go ahead.<br>6    A. Are you finished? I'll go now.<br>7       In none of those cases was there a signing.<br>8       In none of those cases were -- (garbled audio) --<br>9       before he left. That's the fact, and that's the<br>10      difference.   |
| 9       Has Clarity Sports ever lost a client other<br>10      than Kenny Golladay?  | 11      THE COURT REPORTER: Can you repeat that?<br>12      I'm sorry. Somebody shuffled papers. I missed<br>13      the answer. I'm sorry.   |
| 11      MR. COMERFORD: Foundation.<br>12      A. I believe so.   | 14      THE WITNESS: The entire answer?<br>15      THE COURT REPORTER: Here's what I have.<br>16       (The answer was read by the court reporter.)   |
| 13      Q. So what makes Golladay so special that he<br>14      would have never terminated Clarity Sports until he<br>15      was bribed by Todd France?  | 17      A. In none of those cases do we know that there<br>18      was a signing, are we aware that there was a<br>19      signing. In none of those cases was there a warning<br>20      sent. In none of those cases did the signing go<br>21      ahead. In none of the cases did the player change<br>22      after the signing.                |
| 16      MR. COMERFORD: Object to the form. It's<br>17      argumentative.  | 23      Q. Okay. So it's fair to say that the entire<br>24      claim of Clarity Sports and Bernstein hinges on the<br>25      Signing Event being an act of tortious interference?   |
| 18      Q. Was that client -- was that client that was<br>19      lost -- did you sue people and accuse -- did Clarity<br>20      sue people and accuse them of wrongdoing when you<br>21      lost the client?  |   |
| 22      A. No.   |   |
| 23      Q. Well, what distinguished Golladay from that<br>24      client?  |   |
| 25      A. You really want me to answer as an expert   |   |
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| 1    with 42 years in the field of IP law?<br>2    Q. No, because 42 years in the field of IP law<br>3    has absolutely nothing to do with this. You have<br>4    very slight experience as an NFLPA agent that placed<br>5    one person.  | 1    MR. COMERFORD: Object to form;<br>2    argumentative --<br>3    Q. Do you agree with me on that?<br>4       MR. COMERFORD: -- beyond the --<br>5    A. No.   |
| 6    A. That's not what you asked me, Mr. Clements.<br>7    You've been characterizing things all day. What you<br>8    asked me is what makes this case different, and I<br>9    can tell you what makes this case different.   | 6    MR. COMERFORD: You're asking --<br>7    Q. Any other -- other than the Signing Event,<br>8    do you have personal, firsthand knowledge of any<br>9    other act by any defendant or third party that forms<br>10   the basis for your -- that you're alleging is<br>11   wrongful and entitles you to millions of dollars of<br>12   damages? |
| 10   Q. Okay. Go ahead, Mr. Bernstein, because --<br>11   here it is, because we want to separate out fact<br>12   from what you speculate on. So you tell me what<br>13   makes it different.   | 13   A. Again, your question is wrong. Other than<br>14   the signing. I don't have firsthand knowledge of<br>15   the signing.   |
| 14   I'm going to write down everything you say,<br>15   and then I'm going to ask you what the factual basis<br>16   is. So if you want to engage in this exercise,<br>17   fine. We would do it at trial.  | 16   Q. Okay.<br>17   A. I only have -- I don't have firsthand<br>18   knowledge of any of those events, as I've testified<br>19   repeatedly here, so I can't tell you. I don't have<br>20   firsthand knowledge.  |
| 18   So go ahead. Tell me every fact that you<br>19   know of that makes this case different from the<br>20   other clients that have terminated Clarity Sports,<br>21   every fact that makes it different. You have Client<br>22   A terminating -- you're saying terminating Clarity<br>23   Sports. Every client that ever terminated Clarity<br>24   Sports, give me the factual distinction between that<br>25   and Kenny Golladay. | 21   Q. Okay.<br>22   A. You asked --<br>23   Q. Do you have any firsthand knowledge -- oh,<br>24   go ahead. I'm sorry.<br>25   A. You asked me what the difference was, and   |